## NOTIFICATION.

No. L.S. 1110—L.W. 92-50-3, dated Bangalore, 28th June 1950,

### Draft of the Industrial Statistics (Industrial and Labour Disputes) Rules.

The following draft model rules of the Industrial Statistics (Industrial and Labour Disputes) Rules, 1950, issued by the Government of India, Ministry of Labour, for the collection of statistics of industrial and labour disputes is hereby published for general information.

Comments if any on the above Rules may be forwarded to the Legal Remembrancer and Secretary to Government, Law Department, Bangalore, so as to reach him on or before *31st July 1950* for transmission to Government of India.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,

*Legal Remembrancer and Secretary to Government, Law Department.*

### Industrial Statistics (Industrial and Labour Disputes) Rules, 1950.

1. *Short title and commencement.*—(1) These Rules may be called the Industrial Statistics (Industrial and Labour Disputes) Rules, 1950.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context :—

(i) "Dispute" means an occurrence, characterised by a temporary stoppage of work involving a loss of 10 or more man-days, in one or more departments of one or more establishments, wilfully effected by one or more employers or by ten or more workers, with a view to enforcing a demand, and includes :—

(*a*) a strike or lockout resorted to in pursuance of a disagreement between the employers and workers on an issue connected with

collective bargaining, conditions of work, employment or non-employment and the terms of employment ; and

(*b*) a suspension or cessation of work effected for a purpose such as expression of moral or material support to follow employers or workers involved in a conflict, or in sympathy towards a deceased or arrested individual, demonstration of disagreement on public policies or actions, exhibition of the strength of organization, observance of a social or political event, or ony other similar purpose where the matter in dispute is such as cannot be settled by the parties to the dispute themselves; but does not include stoppage of work caused by shortage of fuel or raw materials, break-down of machinery, curtailment of power, accumulation of stocks, or any other similar cause ;

(ii) "Employer" means a person or group of persons, firm or company or a governmental or semi-governmental agency employing 10 or more workers for purpose of carrying on any industry ;

(iii) "Form" means a form specified in Schedule II;

(iv) "Industry" means any kind of economic activity and includes agriculture, forestry, hunting and fishing ; mining and quarrying ; manufacturing ; construction ; electricity ; gas, water and sanitary services ; commerce ; transport, storage and communications ; community and business services (including social services such as education, medical and health services, legal services, recreation services and personal services) ;

(v) "Schedule" means a schedule to these rules ;

(vi) "Statistics authority" means a statistics authority appointed by the State Government under Section 4 of the Industrial Statistics Act (No. XIX of 1942) ;

(vii) "Trade Union" means a trade union as defined under the Indian Trade Unions Act, 1926 and the "Secretary of the Trade Union" means the official of the trade union, by whatever designation known, who is in charge of the day to day administration of the union ;

(viii) "Worker" means a person employed (including a wage earner, a salaried employee and an apprentice) to do any work on contract, hire or for reward and includes a person who has been dismissed or discharged as a consequence of participation in the dispute under consideration.

3. *Service of notice on the employer by the statistics authority.*—(1) The statistics authority shall, within three months of the commencement of these rules, and thereafter before the end of December, each year, serve or cause to be served a notice on each of the employers connected with the establishments specified in Schedule I requiring him to furnish to the statistics authority whenever there is a dispute in his establishment information in the appropriate form set forth in Schedule II;

(2) Where the information supplied in response to a notice issued under sub-rule (1) is not, in the opinion of the statistics authority, adequate such authority may serve or cause to be served upon the employer one or more supplementary notices requiring him to furnish such further or additional information as may be specified in the notice;

(3) Where an establishment of the nature specified in Schedule I comes into existence after the commencement of these rules, the statistics authority shall serve or cause to be served a notice under this rule upon the employer concerned, as soon as practicable, after the establishment comes into existence, and thereafter before the end of December each year;

(4) Where a dispute occurs in an establishment not specified in Schedule I, the statistics authority shall, as soon as he comes to know of such dispute, serve or cause to be served a notice upon the employer of the establishment concerned, requiring him to furnish the information in the appropriate form set forth in Schedule II.

4. *Furnishing of returns by the employer.*—Every employer on whom a notice under Rule 3 has been served shall, whenever there is a dispute in his establishment, furnish to the statistics authority—

(*a*) an intimation in Form A:—

(i) where the notice has been served under sub-rule (1) or sub-rule (3) of Rule 3, within

twenty-four hours of the occurrence of the dispute ; and

(ii) where the notice has been served under sub-rule (4) of Rule 3, within twenty-four hours of the receipt of the notice ;

(*b*) a report in Form B on every Monday in respect of the week ending the preceding Sunday if the dispute extends beyond the Sunday :

Provided that in respect of the week in which the dispute terminates such a report shall be sent along with the termination report in Form C ;

(*c*) a termination report in Form C within five days of the termination of the dispute.

5. *Collection of information from the Trade Union.*—(1) The statistics authority, may, if he deems it fit to do so, serve or cause to be served at any stage of a dispute, a notice on the Secretary of a trade union connected with the dispute, requiring him to furnish such information relating to the dispute and in such form as may be specified in the notice.

(2) The Secretary of the Trade Union, on whom a notice has been served under sub-rule (1), shall, thereupon, furnish the required information to the statistics authority within three days of the receipt of the said notice.

6. *Method of service of notice and furnishing of returns.*—The Statistics Authority shall serve the notices referred to in Rules 3 and 5 through a messenger or by registered post, acknowledgment due, under cover superscribed " Notice under the Industrial Statistics (Industrial and Labour Disputes) Rules, 1950 " and the employers, or the Secretary of the Trade Union, as the case may be, shall furnish the information referred to in Rules 4 or 5 through a messenger or by registered post, acknowledgment due, under cover superscribed " Confidential—Returns under the Industrial Statistics (Industrial and Labour Disputes) Rules, 1950 ".

7. *Information to be furnished in English.*—All information furnished under Rules 4 and 5 shall be in English.

## SCHEDULE I.

[*See Rule 3(1)*].

**Establishments to be covered by the Preliminary Notice.**

1. Factories covered by the Factories Act, 1948;
2. Mines covered by the Indian Mines Act, 1923;
3. Railways covered by the Indian Railways Act, 1890;
4. Tramways covered by the Indian Tramways Act, 1886;
5. Major ports specified in the Indian Ports Act, 1908:
6. Plantations growing tea, coffee, rubber and cinchona;
7. Posts and Telegraphs Department;
8. Municipalities and Local Boards;
9. Banks and Insurances Companies;
10. Oilfields.

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## SCHEDULE II

**Forms in which information is to be supplied (See Rule 4).**

*INDUSTRIAL STATISTICS ACT, 1942.*

*Industrial Statistics (Industrial and Labour Disputes) Rules, 1950.*

*Form A.—Intimation of a dispute.*

(To be furnished to the Statistics Authority within 24 hours of the occurrence of a dispute).

1. Name of the establishment.....
2. Industry.....
3. Postal address.....District.....State.....
4. No. of workers employed [*vide* Instruction (*a*)].....
5. Strike or lock-out?.....
6. Date and hour of commencement of dispute [*vide* Instruction (*b*)].....
7. Number of workers involved [*vide* Instruction (*c*)].....
   (A) Directly.....
   (B) Indirectly.....
8. (A) Main cause leading to the stoppage.
   (B) Demands in detail, if any [*vide* Instruction (*d*)].
9. Was notice (of strike or lock-out) given; if so, on what date and for what period.
10. Name and address of the trade union, if any, connected with the dispute on behalf of the workers.
11. What steps are being taken to arrive at a settlement?

Station..... Signature.....

Date..... Designation.....

INSTRUCTIONS.

(*a*) Please give the average daily number of workers employed during the wage-period immediately preceding the date of the dispute. In a concern in which there is more than one wage-period for different categories of workers the average during the wage-period for each category should be struck and all the averages added up to indicate the average daily number of workers employed. If there is more than one shift, please give the total number of workers employed in all shifts.

(*b*) If the number of workers involved gradually changes from less than 10 to 10 or more the dispute should be considered as commencing from the date and hour from which 10 workers or more are involved.

(*c*) If, say, 200 workers strike work or are locked out as a consequence of which, say, 500 other workers are forced to be idle, 200 may be shown as directly involved and 500 indirectly.

(*d*) Here give details of the demands of the workers in case of a strike or of the cause leading to a lock-out.

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*INDUSTRIAL STATISTICS ACT, 1942.*

*Industrial Statistics (Industrial and Labour Disputes) Rules, 1950.*

*Form B—Weekly Report (No.....)*

(To be furnished to the Statistics Authority on Monday every week as long as the dispute continues and along with the termination report in respect of the week in which the dispute terminates).

1. Name of the establishment.
2. Industry.
3. Postal address.....District.....State.....
4. Date on which report in Form A was furnished.....
5. Daily figures of workers involved :

| Date | No. of workers involved | | No. of substitutes employed, if any |
|---|---|---|---|
| | Directly (*Vide* instruction) | Indirectly | |
| 1 | 2 | 3 | 4 |
| Monday ... | | | |
| Tuesday ... | | | |
| Wednesday ... | | | |
| Thursday ... | | | |
| Friday ... | | | |
| Saturday ... | | | |
| Sunday ... | | | |

(Please indicate in the above table holidays, if any).

6. Particulars of attempts made at settlement, if any, either by the parties concerned or by a third party.

7. Any other developments.

Station..... Signature.....

Date..... Designation.....

INSTRUCTIONS.

If there is more than one shift, please give the total number of workers, on all shifts, involved in the dispute.

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*INDUSTRIAL STATISTICS ACT, 1942.*

*Industrial Statistics (Industrial and Labour Disputes) Rules, 1950.*

*Form C—Termination Report.*

(To be furnished to the Statistics Authority within five days of the termination of the dispute).

1. Name of the establishment.
2. Industry.
3. Postal address.....District .....State .....
4. Date and hour at which the dispute terminated [*vide* Instruction (*a*)].
5. Method of termination [*vid* Instruction (*b*)].
6. Terms of settlement—(i) if written, please enclose a copy of the agreement.
   (ii) if verbal, please specify the terms.
7. If as a result of the dispute there have been changes in remuneration (either in case or kind) of the workers, please state how many would be affected and what would be the increase or decrease in the wages bill per working day.
8. Date from which the terms of settlement take effect.

Station..... Signature.....

Date..... Designation.....

INSTRUCTIONS.

(*a*) The dispute may be considered as terminated when the establishment has resumed work, having filled all or a sufficient number of the vacancies caused by the dispute either by the re-employment of the workers involved in the dispute or by engaging new workers.

(*b*) The methods of termination may be classified as.—

(i) Termination with settlement :

(*a*) unconditional return of workers or resumption of work ;

(*b*) replacement of workers.

(ii) Termination pending settlement : (reference of Court of enquiry, etc.)
(iii) Termination with settlement :
(a) Direct negotiation.
(b) Negotiation through works or Joint Committees.
(c) Arbitration by mutual agreement.
(d) Conciliation by Government.
(e) Conciliation by Boards of Conciliation.
(f) Adjudication by Industrial Tribunals, Industrial Courts or Labour Courts.

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*Copy of letter No. L.W.I. 50 (2) (50) (i), dated 30th May 1950 from the Deputy Secretary to the Government of India, Ministry of Labour, New Delhi.*

*Subject.*—Collection of Statistics of Industrial and Labour Disputes under the Industrial Statistics Act, 1942.

I am directed to invite reference to paragraph 5 of the letter from the Ministry of Labour No. LL.-10 (1), dated the 10th June 1949, forwarding the draft model Industrial Statistics (Labour) Rules for the collection of statistics of employment, attendance, wages and earnings, and hours of work in certain industries. Draft model rules for the collection of statistics of industrial and labour disputes have now been framed. Two sets of the rules are forwarded herewith for publication in the official Gazette inviting comments by the 31st July 1950. The comments which may be received by the State Government, together with their views thereon may kindly be forwarded to this Ministry by the 31st August 1950.

2. The Industrial Statistics Act, 1942, prescribes the service of individual notices on the employers. The draft model rules so framed will, therefore, require individual service of preliminary notices on the employers connected with sectors of industry mentioned in Schedule I to the Rules. In regard to the others, it will be necessary to depend on the press and the police for information as to the occurrence of a dispute on receipt of which a notice can be served upon the employer requiring him to furnish the necessary information.

3. In view of the above, it is necessary to have complete lists of the various types of establishment covered by the Schedule I to the Rules. Two copies of these lists, when ready, may kindly be forwarded to this Ministry. Two copies of the Gazette publishing the draft model rules may also kindly be forwarded.

4. Section 4 of the Industrial Statistics Act permits the State Governments to appoint more than one statistics authority for the purpose of the Act. It is considered desirable that the statistics authority appointed for the purpose of the Industrial Statistics (Labour) Rules may also be appointed for the purpose of the rules under consideration.

5. When returns under the present proposal are received, the voluntary returns of industrial disputes now being collected may be discontinued.

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Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore.

# PART IV

## Section 2-B

## NOTIFICATIONS, RULES AND ORDERS ISSUED UNDER MYSORE ACTS AND ORDINANCES.

### NOTIFICATIONS.

No. S.R. 1778—St. 4-50-1, dated Bangalore, the 26th June 1950.

In exercise of the powers conferred by clause (a) of Section 9 of the Mysore Stamp Act, 1900 (Mysore Act No. II of 1900), His Highness the Maharaja of Mysore is pleased to remit the duties with which all instruments executed in connection with loans granted by the State Government to displaced persons are chargeable under the said Act.

By Order of His Highness the Maharaja.

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No. L.B. 3436—V.P. 86-50-6, dated Bangalore, 1st July 1950.

The draft of the following further amendments to the rules under the Mysore Village Panchayet Act, 1926, (Mysore Act No. II of 1926) which it is proposed to make in exercise of the powers conferred by Section 65 of the said Act is hereby published for the information of all persons likely to be affected thereby as required by the said section.

Notice is hereby given that the draft will be taken into consideration after 31st August 1950.

Objections or suggestions, if any, to the said draft may be forwarded to the Secretary to Government, Revenue Department, for consideration so as to reach him before the said date.

**Draft.**

1. Fees chargeable in respect of the grant on renewal of a license for the use of a place within the jurisdiction of the Village Panchayet as Dairy, Hotel, Restaurant, Eating-house, Coffee-house (other than

Students Hostel under Public or recognised control) or for manufacturing Ice or Aerated water will be as follows:—

| | Rs. |
|---|---|
| (1) Hotel, Restaurant, Eating-house or Coffee-house other than a Messing Hotel ... | 25 per annum. |
| (2) Messing Hotel, Boarding-house or Lodging-house ... ... | 50 „ |
| (3) Bakery or Sweetmeat Shop or place used for the manufacture of Ice or Aerated water ... ... | 12 „ |

2. The form and the conditions of a license issued under sub-section (1) of Section 3-A shall be as follows:—

FORM OF LICENSE.

OFFICE OF THE AMILDAR,..... TALUK.

*Dated*..... ...

Sri.....son of..... residing at ..... Village..... .....Hobli..... .....Taluk, is permitted to open a dairy, hotel, restaurant, eating-house, coffee house, sweetmeat shop, bakery, boarding house, or lodging house in the undermentioned boundary of.....village for a period of one year from the first day April to..... to the following conditions.
Boundary or Chuckbands.

.....
*Amildar.*

CONDITIONS.

1. The license is not transferable either in regard to the person or place.

2. The premises should be thoroughly cleansed as often as may be necessary and at least in every 24 hours to prevent any accumulation of filthy, rubbish, cobwebs, etc.

3. The ventilation of the building should be well attended to.

4. Suitable and separate accommodation should be provided for the preparation, storage and service of refreshments and of any other articles of food or drink.

5. In every place set apart for the preparation of refreshments, suitable smoke outlets should be provided and they should be maintained in good order and efficient action.

6. Every drain or means of drainage upon or in connection with the premises should be maintained at all times in good order and efficient action.

7. Latrines must be kept in good condition and there should be sufficient and good supply of water in the premises.

8. Suitable covered receptacles should be provided for the deposit of all refuse matter and such receptacles must be emptied at least once in every 24 hours.

9. All articles of food and drink should be stored or caused to be stored in such a manner as to completely protect them from dust and flies.

10. A board stating the purpose for which such premises is intended and the hours of its working should be fixed in a conspicuous place in the premises.

11. No person shall spit in or upon the premises except in such receptacles or places as are provided for such purpose.

12. No person suffering from any loathsome or infectious disease should be employed or allowed within the premises.

13. Plates, cups, saucers, spoons, forks and all utensils or accessories pertaining to or used for service shall be thoroughly washed in clean water and sterilised by being immersed in boiling water or steam for not less then five minutes before being set out for service again.

.....

Amildar,

Taluk.

By Order of His Highness the Maharaja of Mysore,

T. RANGAMALLIAH,

*Secretary to Government,*

*Revenue Department.*

**No. A.F. 2845—Mart. 14-50-2, dated Bangalore, the 23rd June 1950.**

In exercise of the powers conferred by Section 3 (a) of the Mysore Agricultural Produce Markets Act (No. XVI of 1939), and in continuation of Notifications No. A.F. 6443—Mart. 23-46-2, dated 9th May 1947 and No. A.F. 7018—Mart. 20-49-2, dated 25th January 1950, His Highness the Maharaja of Mysore, is pleased to declare "URD" also to be "Agricultural Produce" for the purpose of the said Act.

By Order of His Highness the Maharaja.

No. A. F. 3021—Mart. 16-50-2, dated Bangalore, the 30th June 1950.

In exercise of the powers conferred by Section 4 of the Mysore Agricultural Produce Markets Act (No. XVI of 1939), His Highness the Maharaja is pleased to declare that with effect from the date of this notification, the Mysore City Municipal limits shall be a "Market" established under the said Act for the undermentioned Agricultural Produce, in addition to the commodities referred to in Notification No. A. F. 6105—Mart. 26-48-3 dated 29th March—5th April 1949.

1. Honge Seeds.
2. Urd.
3. Cowpea.
4. Avare.
5. Soapnut.

By Order of His Highness the Maharaja.

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No. S.D. 2288—R. 54-49-5, dated Bangalore, the 3rd July 1950.

In exercise of the powers conferred by Rules 81 and 116 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), His Highness the Maharaja of Mysore is pleased to direct that the following further amendments shall be made in the Mysore Rationing Order (Order No. 2) (Food), issued in Notification No. S.D. 2182—C. 94-43, dated the 1st October 1943 and to direct with reference to Rule 119 of the said rules, that notice of this amendment shall be given by publication in the *Mysore Gazette* and by the issue of a Press Note explaining its provisions, *viz.*:—

For Clause 2 of the Mysore Rationing Order, the following clause shall be substituted, namely:—

"2. The State Government may appoint Rationing Officers with defined local jurisdiction. The Rationing Officers working within the limits of the City of Bangalore Municipal Corporation and Mysore City Municipality shall be subordinate to the Director of Food Suppplies in Mysore and those in other areas shall be subordinate to the Deputy Commissioners of the respective districts."

By Order of His Highness the Maharaja.

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No. C. 431—Co. 23-49-53, dated Bangalore, 4th July 1950.

In exercise of the powers conferred by Section 3 and Clause (*a*) of sub-section (1) of Section 4 of the Mysore Drugs (Control) Act, 1950 (Mysore Act No. VI of 1950), His Highness the Maharaja is pleased to direct that the following further amendments shall be made in the Schedule to Notification No. C. 3130—Co., dated the 3rd October 1949, namely:—

In respect of the drugs in the said schedule specified in column 1 hereunder which are manufactured by British Drug Houses (India), Ltd., Burroughs Wellcome & Co., Parke Davis and Company and Ciba Pharma, Ltd., for the prices specified in column 2 of the said schedule, the prices specified in column 2 hereunder shall be substituted.

BRITISH DRUG HOUSES (INDIA) LTD.

| | | Rs. | a. | p. |
|---|---|---|---|---|
| *Insulin A.B.*— | | | | |
| 20 units per cc. vial of 5 cc. | ... | 1 | 9 | 0 |
| 20 units per cc. vial of 10 cc. | ... | 2 | 8 | 0 |
| 40 units per cc. vial of 5 cc. | ... | 2 | 8 | 0 |
| 40 units per cc. vial of 10 cc. | ... | 4 | 11 | 0 |
| 80 units per cc. vial of 5 cc. | ... | 4 | 11 | 0 |
| 80 units per cc. vial of 10 cc. | ... | 9 | 1 | 0 |
| *Protamine Zinc insulin A. B.*— | | | | |
| 40 units per cc. vial of 5 cc. | .. | 3 | 2 | 0 |
| 40 units per cc. vial of 10 cc. | ... | 5 | 10 | 0 |
| 80 units per cc. vial of 5 cc. | ... | 5 | 10 | 0 |
| *Globin Insulin (with zinc) A. B.*— | | | | |
| 40 units per cc. vial of 5 cc. | ... | 3 | 2 | 0 |
| 80 units per cc. vial of 5 cc. | ... | 5 | 10 | 0 |

BURROUGHS WELLCOME & CO.

| | | | Rs. | a. | p. |
|---|---|---|---|---|---|
| *Insulin.*— | | | | | |
| 'Wellcome' Insulin, unmodified | 20 units per cc. 5 cc. | | 1 | 9 | 0 |
| Do | do | 40 units per cc. 5 cc. | 2 | 8 | 0 |
| Do | do | 80 units per cc. 5 cc. | 4 | 11 | 0 |
| Do | I Globin (with zinc) | 40 units per cc. 5 cc. | 3 | 2 | 0 |
| Do | do | 80 units per cc. 5 cc. | 5 | 10 | 0 |
| Do | I Protamine Zinc | 40 units per cc. 5 cc. | 3 | 2 | 0 |
| Do | do | 80 units per cc. 5 cc. | 5 | 10 | 0 |

PARKE DAVIS AND COMPANY.

| | | Rs. | a. | p. | |
|---|---|---|---|---|---|
| Chloromycetin 12s ... | ... 0.25 gm. each ... | 39 | 8 | 0 | per vial |

CIBA PHARMA LTD.

| | | | | |
|---|---|---|---|---|
| Nicotinic Acid Tablets 75's | ... | 4 | 0 | |

By Order of His Highness the Maharaja,

A. S. KHALEEL,
*Secretary to Government,*
*Food and Agriculture Departments.*

No. Fl. 2828—S.T. 1-49-19, dated Bangalore, the 30th June 1950.

In exercise of the powers conferred by Section 3-A of the Motor Spirit (Taxation on Sales) Act, 1949, (Mysore Act No. XLIX of 1949), His Highness the Maharaja of Mysore is pleased to exempt from the payment of the tax leviable under the said Act in respect of motor spirit sold to an officer appointed by His Highness the Maharaja to make purchases of motor spirit for the use of the motor vehicles belonging to the Palace.

By Order of His Highness the Maharaja.

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No. Fl. 2830—S.T. 1-49-20, dated Bangalore, the 30th June 1950.

In exercise of the powers conferred by Section 3-A of the Motor Spirit (Taxation on Sales) Act, 1949, (Mysore Act No. XLIX of 1949), His Highness the Maharaja of Mysore is pleased to make a reduction of fifty per cent of the tax leviable under the said Act in respect of aviation petrol required for Civil aviation.

By Order of His Highness the Maharaja,

M. SHAMANNA,
*Secretary to Government,*
*Financial Department.*

No. M. 6020—Census. 4-50-5, dated Bangalore, 5th July 1950.

In exercise of the powers conferred by sub-section (4) of Section 3 of the Mysore Census Act, 1949, (Mysore Act No. XXIII of 1949), His Highness the Maharaja of Mysore is pleased to delegate the power of appointing Census Officers conferred by sub-section (2) of Section 3 of the said Act to the following authorities within their respective jurisdictions, namely—

(1) The Deputy Commissioners of Districts,

(2) Commissioner, City of Bangalore Municipal Corporation, Bangalore,

(3) Municipal Commissioner, City Municipality, Mysore,

(4) Municipal Commissioner, City Municipal Council, Davangere,

(5) President, Kolar Gold Field Sanitary Board.

In pursuance of sub-section (3) of Section 3 of the said Act, His Highness the Maharaja of Mysore is also pleased to authorise the authorities specified above and their subordinate officers to sign the declarations in writing under the said sub-section.

By Order of His Highness the Maharaja,

GEORGE MATTHAN,
*Additional Secretary to Government.*

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